IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SECOND DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 7072 of 2000

Between:

ABHIPRAAY
Welfare Society, Karimnagar Branch,
Karimnagar, A.P.,

..... PETITIONER

AND

1 Chief Secretary
Secretariat, Government of Andhra Pradesh, Hyderaabd.
2 The Director General
Anti Corruption Bureau A.P., Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of mandamus or any other appropriate writ order to the respondents directing them to treat all the Government Servants against whom charges of corruption are levelled alike irrespective of their status and hold that pre-condition of obtaining prior permission of Chief Minister as initiated in Govt. Memo No.163/Sc.D/83-2, Dt.30/03/1983, Govt. U.O.No.1150/SC.D/183-2, Dt.25/07/1983 and Govt. of A.P., Memo No.404/SC-D/96-1, Dt.06/05/1996, before starting any investigation by the respondent No.2 against the officers of All India Services and Head of Departments and quash the above said Govt. Memos and GOs if any as Arbitrary to Law, untenable violative of principles of natural justice and provisions of the Constitution.

Counsel for the Petitioner:MR.T.MURALIDHAR RAO

Counsel for the Respondent No.1: GP FOR GENERAL ADMINISTRATION

Counsel for the Respondent No.2: Mr.G.Pedda Babu, SC for ACB

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

The petitioner, in this petition, has questioned the legality and validity of G.O.Ms.No.163/SC-D/83-2 dated 30-3-1983, Govt. U.O.Note No.1150/SC-D/33-2 dated 25-7-1983 and Govt. of A.P. Memo No.404/SC-D/96-1 dated 6-5-1996.

Though the purpose of filing of the petition is laudable that all such persons who violate law must be treated alike and there should not be any discrimination in treating them differently or any discretion with the respondents not to take action against some and take action against others, the petitioner has not put in appearance.

We would like to dispose of the writ petition with liberty reserved to the petitioner or other individuals to challenge the legality and validity of the aforesaid G.Os., as and when necessity thereof arises in future.

_____

DEVINDER GUPTA, CJ

2-8-2004

_____

C.V.RAMULU, J

Tvr

To

1 Chief Secretary,
Secretariat, Government of Andhra Pradesh, Hyderaabd.
2 The Director General,
Anti Corruption Bureau A.P., Hyderabad.

3 2 CCs to the Govt. Pleader for GAD, High Court Buildings,

Hyderabad, (OUT).

4. 2 CD copies.